

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231*Ce*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/061,833	04/16/98	BOSSEMEYER	R A00394 (AMT-9)

LAW OFFICE OF DALE B. HALLING
24 S. WEBER STREET, SUITE 311
COLORADO SPRING CO 80903

WM51/1025

EXAMINER

ESCALANTE, G

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 10/25/00 *10*

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/061,833	BOSSEMEYER ET AL.	
	Examiner Ovidio Escalante	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) Responsive to communication(s) filed on 26 September 2000.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 and 22-30 is/are pending in the application.
- 4a) Of the above claim(s) 11-21 and 31-37 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-10 and 22-30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on 26 September 2000 is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) All b) Some * c) None of the CERTIFIED copies of the priority documents have been:
1. received.
2. received in Application No. (Series Code / Serial Number) _____.
3. received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) Notice of References Cited (PTO-892) 18) Interview Summary (PTO-413) Paper No(s). _____ .
- 16) Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) Notice of Informal Patent Application (PTO-152)
- 17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . 20) Other: _____

DETAILED ACTION

1. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on September 26, 2000 have been acknowledged and approved.
2. This application contains claims 11-21 and 31-37 are drawn to an invention nonelected with traverse in Paper No. 7. A complete reply to the non-final rejection must include cancelation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.
3. Applicant's election of Group I in Paper No. 7 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1 – 10, 22-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 22 and 30, the use of a voice bridge is misleading. The term is unclear if it means for bridging two calls. Voice bridge should be changed to conference call bridge. Claims 2 – 10 and 23 – 29 are rejected because they depend of a rejected claim.

Regarding claim 6, the claim is rejected because it depends on a canceled claim.

Presumably claim 6 should depend on claim 1. Claim 7 is rejected because it depends on a rejected claim.

Regarding claim 25, the claim is rejected because it depends on a canceled claim.

Presumably claim 25 will depend on claim 23. Claims 26 – 29 are rejected because they depend on a rejected claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7. Claim 22 is rejected under 35 U.S.C. 102(e) as being anticipated by Fedorov et al. as used in the first Office action.

Fedorov discloses of a switch (120) connected to an internal telephony line (139 or 141) and an external telephony line (122). See Figure 2 and column 7 lines 56 - 59. A processor (115) is connected to the switch and the processor sends and receives information from the switch. Fedorov further discloses of a caller identification system that is connected to the processor and the caller ID system receives ID information from the processor. See column 5 lines 56 - 67. The system has the feature of conference calls, however, Fedorov does not specifically show the claimed **voice bridge**. According to the

specification “voice bridge” refers to the conference call feature, therefore, the claimed “voice bridge” reads on the conference call feature of Fedorov. See col. 2 lines 37 – 39 and col. 7 lines 34 – 40.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. Claims 1, 6, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snelling et al. U.S. Patent 6,058,104 (hereinafter Snelling), newly cited in view of Mizikovsky, as used in the first Office action.

Regarding claim 1, Snelling discloses of a residential system comprising of a transceiver capable of establishing a wireless local loop connection. See col. 7 lines 26 – 30. The system has a voice bridge for conference calls. See Fig. 3A block 660 and col. 8 lines 48 – 64. The CAB shown in Fig. 3A will allow for conference calls. Snelling further discloses of a caller ID system coupled to the transceiver wherein see col. 9 lines 34 – 41. The block is connected to transceiver 680 as shown in Fig. 3A. Snelling does not expressly teach of the caller ID system determining the number of the incoming call and routing the incoming call to the voice processing system. Mizikovsky discloses of a voice processing system for selectively answering and routing incoming calls based upon the users stored telephone list. See the col. 2 lines 45 – 67 and Fig. 2. The voice processing system can store a message in the voice mail or answering machine system. See col. 6 lines 51 - 67. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Snelling and have incoming calls routed based upon the ID number as taught by Mizikovsky so that calls can be routed to the appropriated device for example to voice mail if it is a low priority call or to allow the phone to be rung so the called party can answer the call if it is a high priority call.

Regarding claim 6, Snelling as applied to claim 1 teaches of a controller coupled to the transceiver. See Fig. 3A. Snelling does not expressly teach of having controller redirecting a call to a predetermined-forwarded number. Mizikovsky teaches of a controller capable of redirecting incoming calls to the users predetermined forwarded number. See column 2 lines 18 – 37.

Depending on the incoming number the call is forwarded to a predetermined number; for example to the voice mail number. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Snelling an to allow an incoming call to be redirected to a predetermined number so that the incoming call can be routed to the appropriated area e.g. voice mail or facsimile.

Regarding claim 8, Snelling discloses of a router coupled to the transceiver wherein see col. 9 lines 4 – 8 and Fig. 3A.

12. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snelling in view of Mizikovsky and further in view of Shen (Patent No. 5,812,649).

Snelling discloses of a processor coupled to a transceiver as applied to claim 1. Snelling and Mizikovsky do not expressly teach of posting an indicia when an incoming call arrives during an existing call. Shen discloses of posting a caller name on a display when the user is on the line wherein see the abstract and col. 2 lines 26 - 39. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Snelling in view of Mizikovsky and further modify by posting an indicia when an incoming call arrives during a call as taught by Shen so that the calling parties name will be displayed on the Caller ID device so that the called party will know who is calling while being on the line.

13. Claims 3 & 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snelling in view of Mizikovsky and further in view of Shen, and further in view of Herrero Garcia et al. (Patent No. 5,479,491).

Snelling, Mizikovsky, and Shen as applied to claim 2 above, further teach of a speech synthesizer and a controller wherein see col. 9 lines 34 – 41 of Snelling. Snelling, Mizikovsky, and Shen does not expressly teach of playing options to the caller. Herrero Garcia discloses of a system that detects an incoming call and plays a plurality of options to the caller. The voice system takes the caller's choice and switches (routes) the call to the callers specified line. See column 6 lines 32 – 39. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Snelling in view of Mizikovsky and further in view of Shen and further modify by playing a plurality of options to the caller as taught by Herrero Garcia et al. so that the calling party will get to decided on where there call can be routed to.

14. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snelling in view of Mizikovsky and further in view of Farris et al. U.S. Patent 6,029,064 (hereinafter Farris), newly cited.

Snelling and Mizikovsky, as applied to claim 6, do not expressly teach of using a smart card interface (137). Farris discloses of a smart card that is used to retrieve or store user information or preferences. See col. 19 lines 36 - 39. The smart card allows data entry by the user. The smart card is coupled to a controller. See Figure 7. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Snelling in view of Mizikovsky and further modify by using a smart card as taught by Farris so that the users preferences or instructions can easily be changed by using the smart card.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snelling in view of Mizikovsky and further in view of Feinber (Patent No. 5,598,456).

Snelling and Mizikovsky as applied to claim 8, does not expressly teach of using a home automation and security system and a TV system connected to the system. Feinber discloses of a security system wherein see the abstract and a TV system capable of receiving a plurality of stations (see column 3 lines 45-59). The components are connected to a home system wherein see also Figure 2. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Snelling in view of Mizikovsky and further modify by adding a home security system and a TV system connected together as taught by Feinber so that TV can act as a display monitor for security system.

15. Claims 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fedorov in view of Mizikovsky.

Regarding claim 23, Fedorov as applied to claim 22 above does not expressly teach of using a voice processing system. Mizikovsky discloses of a voice processing system for selectively answering and routing incoming calls based upon the users stored telephone list. See the col. 2 lines 45 – 67 and Fig. 2. The voice processing system can store a message in the voice mail or answering machine system. See col. 6 lines 51 - 67. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Fedorov by using the voice processing system of Mizikovsky so that the voice processing system can receive and store voice mails.

Regarding claim 25, Fedorov as applied to claim 23, discloses of a router coupled to a switch. See col. 1 lines 64 – 67, col. 2 lines 1 – 13. The router distributes calls to the appropriate telephony switches.

16. Claim 26 is rejected under 35 U.C.S. 103(a) as being unpatentable over Fedorov in view of Mizikovsky and further in view of Farris.

Fedorov and Mizikovsky as suggested above does not expressly teach of using a smart card. Farris discloses of a smart card that is used to retrieve or store user information or preferences. See col. 19 lines 36 - 39. The smart card allows data entry by the user. The smart card is coupled to a processor. See Figure 7. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Fedorov in view of Mizikovsky by using a smart card as taught by Farris so that the users preferences or instructions can easily be changed by using the smart card.

17. Claims 27 -28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fedorov in view of Mizikovsky, and further in view of Farris, and further in view of Feinber.

Fedorov, Mizikovsky and Farris, as applied to claim 26 above fail to teach of using a home security system and a TV system. Feinber discloses of a security system wherein see the abstract and a TV system cable of receiving a plurality of stations, wherein see column 3 lines 45-59. The components are connected to a home system wherein see also Figure 2. Therefore, it would have been obvious to modify the system of Fedorov in view of Mizikovsky and further in view of Laborde and further modify adding a home security system and a TV system by Feinber so that all systems can be integrated together to provide easier use among the different embodiments.

18. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fedorov in view of Mizikovsky and further in view of Farris and further in view of Feinber and further in view of Snelling.

Fedorov, Mizikovsky, Farris and Feinber do not expressly teach of the embodiments in a WLL. Snelling discloses of a residential system comprising of a transceiver capable of establishing a wireless local loop connection. See col. 7 lines 26 – 30. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Fedorov in view of Mizikovsky and further in view of Farris and further in view of Feinber and further modify by establishing a wireless local loop connection as taught by Snelling so that a less expensive form of establishing communications between to areas can be used.

19. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snelling in view of Shen in further in view of Farris and in further view of Feinber.

Snelling teaches of a wireless transceiver capable of establishing a wireless local loop connection with a base station. See col. 7 lines 26 – 30. The wireless transceiver has a switch that is connected to a demodulated output. See col. 7 lines 26 – 30 and Fig. 3A and 3C. A processor is connected to the switch to received and send a response to the switch. A router is connected to a switch wherein see col. 9 lines 4 – 10. The system includes a voice bridge for conference calls, which is connected to a switch. See Fig. 3A block 660 and col. 8 lines 48 – 64. The CAB shown in Fig. 3A will allow for conference calls. Snelling further teaches of a voice processing system that is coupled to the processor. The voice system includes a speech synthesizer, and speech recognizer. See col. 9 lines 34 – 47.

Snelling fails to teach of using a caller ID system that is coupled to a display, a smart card, a home automation and security system and a television system.

Shen discloses of posting a caller name on the display when the user is on the line wherein see the abstract and summary.

Farris discloses of a smart card interface that is used to retrieve or store user information or setup instructions. See col. 19 lines 36 - 39. The smart card allows data entry by the user. The smart card is also coupled to a processor. See Figure 7.

Feinber discloses of a security system wherein see the abstract and a TV system cable of receiving a plurality of stations, wherein see column 3 lines 45-59. The components are connected to a home system wherein see also Figure 2. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Snelling system in further in view of Shen and further modify by using the smart card system and security and TV system of Farris and Feinber and further modify so that different embodiments can be connected together so all systems can be used together.

Response to Arguments

20. Applicant's arguments with respect to claim 1-10 & 30 have been considered but are moot in view of the new ground(s) of rejection.

21. Applicant's arguments regarding claims 22 – 29 filed 09/26/00 have been fully considered but they are not persuasive. On claim 22 the Applicants disclose that Fedorov does not provide a voice bridge. The Applicants further state that the purpose of a voice bridge is to setup a conference call as stated on page 9, lines 25 – 26 and on page 14 lines 5 – 10. Fedorov

Art Unit: 2645

discloses of having a system with conference call capability as stated on col. 7 lines 34 – 40 and col. 2 lines 37 - 39.

Conclusion

22. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 308-6306 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is (703) 308-6262. The examiner can normally be reached on Monday to Friday from 7:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group is (703) 308-6306.

Art Unit: 2645

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Ovidio Escalante
Examiner
Group 2645
October 12, 2000

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700

